

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CHRISTOPHER MATHIESON,

Plaintiff,

-against-

07 Civ. 8527 (LAK)

JOHN C. DENIRO,

Defendant.

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ORDER

LEWIS A. KAPLAN, *District Judge*.

This action was commenced in October 2007. In November 2007, the parties agree to a scheduling order that required the completion of discovery by February 29 and the filing of dispositive motions by March 17, 2008. The order cautioned that extensions of time would not be granted absent good cause. Nevertheless, in January 2008, the Court extended the schedule by about three months, again cautioning about the possible unavailability of further extensions.

The parties sought yet another extension, which the Court denied. They now in substance seek reconsideration, arguing that there is a possibility that an appraisal in which they now are engaged, and which they hope to complete in the next 10 days, might lead to settlement. They ask for an extension of the schedule by approximately 6 more weeks. They wish also to have discovery stayed for some indeterminate period.

In the circumstances, the Court declines to stay discovery or to extend the schedule. While it is sympathetic to the desire of the parties to avoid the expense of further legal hostilities while they pursue peace talks, they have had months now in which to make peace, and it is not clear that the extension and stay they seek will encourage rather than discourage an amicable resolution. Accordingly, in light of the previous extension and the clear notice under which the parties operated, the application is denied. The parties can limit the incurrence of additional expense by quickly moving to a resolution of the matter.

SO ORDERED.

Dated: April 2, 2008



Lewis A. Kaplan
United States District Judge